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Degree of Master of International Studies
(International Area Studies)

**Negotiating Comprehensive Peace in Democratic
Transition in Myanmar:
The current situation and the way forward**

August, 2017

Development Cooperation Policy Program
Graduate School of International Studies
Seoul National University

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**Negotiating Comprehensive Peace in Democratic Transition
in Myanmar:
The current situation and the way forward**

A thesis presented

by

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A dissertation submitted in partial fulfillment
of the requirements for the degree of
Master of International Studies

**Graduate School of International Studies
Seoul National University
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August 2017

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Abstract

Negotiating Comprehensive Peace in Democratic Transition in Myanmar: The current situation and the way forward

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Myanmar has been making a transition to a democratic country. The prolonged conflicts between the government and the ethnic armed groups had been solved by the successive governments but they couldn't step to the eternal peace. Without peace, it is not possible to consolidate democracy. The decline of the economy of the country is also directly related to the instability of the politic and the internal armed conflicts. In 2011, the civilian government handed over the power of the country. The democratic transition of Myanmar opened up the opportunities for peace negotiation between the government and the ethnic armed groups. The then government led by former President U Thein Sein laid down the foundation for negotiation process. Due to the political situation, the responsibility of the country was handed over by the NLD-led government and the State Counsellor Daw Aung San Suu Kyi headed the peace negotiation process. By analyzing the policies and implementation issues of the governments as to peace process, this research found out the characteristics of

Myanmar's ongoing peace negotiation process, the results and the prospect of negotiation in the future, including key issues and obstacles.

Keywords: peace process, negotiation, ethnic armed conflicts, equality, self-determination, Nationwide Ceasefire Agreement (NCA)

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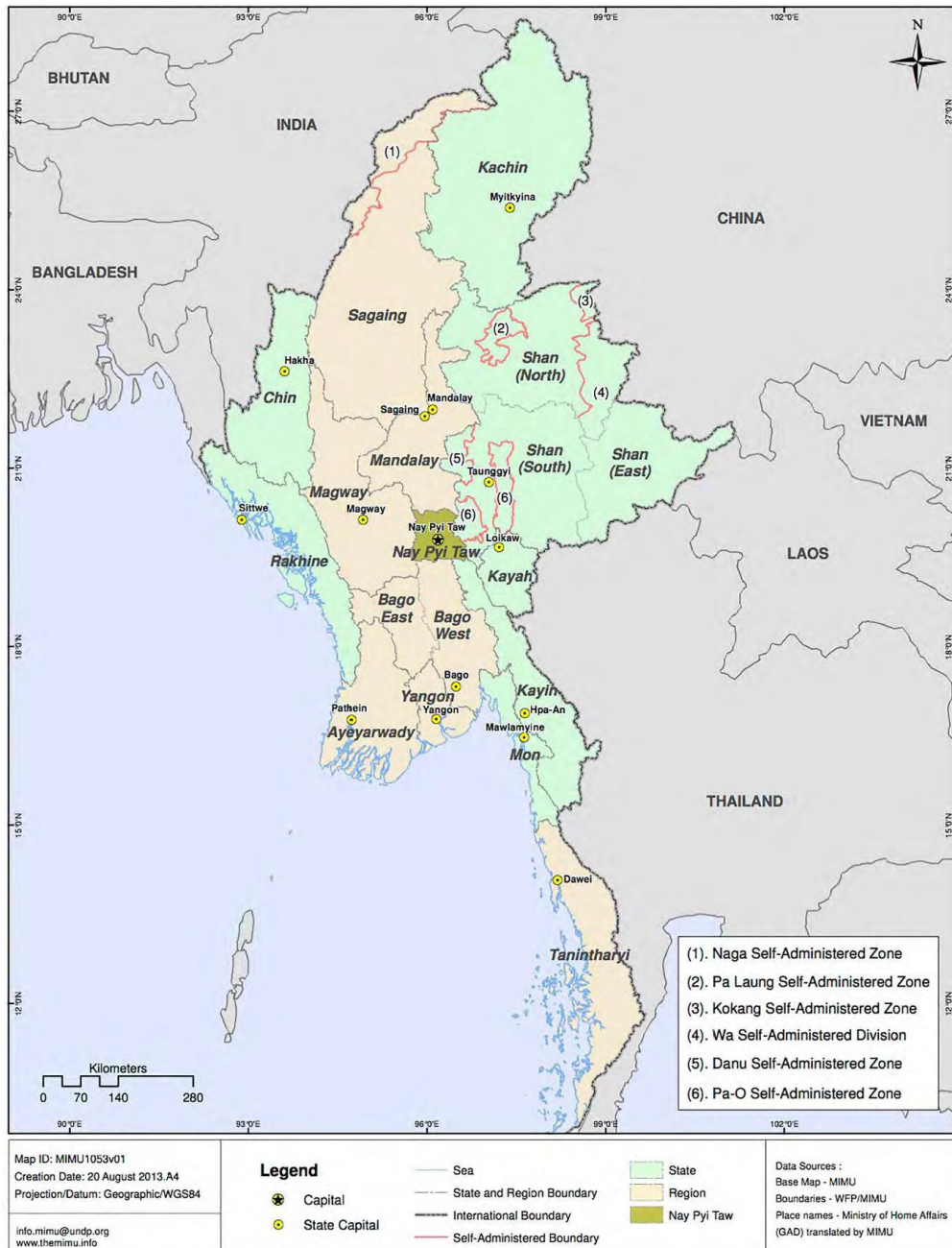
List of Abbreviations

AA	Arakan Army
ABSDF	All Burma Students' Democratic Front
AFPFL	Anti-Fascist People's Freedom League
ALP	Arakan Liberation Party
ANC	Arakan National Congress
ANP	Arakan National Party
BGFs	Border Guard Forces
BSPP	Burma Socialist Program Party
CNF	Chin National Front
CPA	Comprehensive Peace Agreement
CPB	Communist Party of Burma or Burma Communist Party
CSO	Civil Society Organizations
DDR	Disarmament, Demobilization and Reintegration
DKBA	Democratic Karen Benevolent Army
DPN	Delegation for Political Negotiation
IDPs	Internally Displaced Persons
IGAD	Inter-Governmental Authority on Drought and Development
JCMC	Joint Ceasefire Monitoring Committee
JMC	Joint Monitoring Committee

KIO/KIA	Kachin Independence Organization/Kachin Independence Army
KNLA-PC	Karen National Liberation Army-Peace Council
KNPP	Karenni National Progressive Party
KNU	Karen National Union
LDC	Least Developed Country
LDU	Lahu Democratic Union
MNDAA	Myanmar National Democratic Alliance Army
MPC	Myanmar Peace Center
NCA	Nationwide Ceasefire Agreement
NCCT	Nationwide Ceasefire Coordination Team
NDAA	National Democratic Alliance Army
NLD	National League for Democracy
NMSP	New Mon State Party
NRPC	National Reconciliation and Peace Center
NSCN-K	National Socialist Council of Nagaland-Khaplang
PNLO	Pa-Oh National Liberation Organization
PPST	Peace Process Steering Team
RCSS/SSA	Restoration Council of Shan State/Shan State Army-South
SD	Senior Delegation
SLORC	State Law and Order Restoration Council
SNLD	Shan Nationalities League for Democracy

SPDC	State Peace and Development Council
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SSPP/SSA	Shan State Progressive Party/Shan State Army-North
SSR	Security Sector Reform
TNLA	Ta'ang National Liberation Army
UCJM	Union Ceasefire Joint Monitoring Committee
UNFC	United Nationalities Federal Council
UPCC	Union Peace-making Central Committee
UPDJC	Union Peace Dialogue Joint Committee
UPWC	Union Peace-making Working Committee
USDP	Union Solidarity and Development Party
UWSA	United Wa State Army
WNO	Wa National Organization

Map of Myanmar: location of States, Regions and Self-Administered Areas



Source; The Asia Foundation

I. Introduction

1. Overview

Myanmar stood with her long history and the National people, 135 ethnic groups of eight major races - Kachin, Kayah, Kayin, Chin, Burma, Mon, Rakhine and Shan –have been living in unity with pride. Myanmar is also a country with a wealth of natural resources. With the three Anglo-Burmese Wars, the country lost her independence and all together struggled for independence sacrificing blood and lives. In the early 1940s, Myanmar was a leading country in economic in the region and a leading rice exporter in the world.¹ But the independence was born with internal armed conflicts. The on-going conflicts since independence were triggered due to the friction within the government body and mismanagement policies and the insurgent of the communist group and the ethnic armed groups. In 1962, the Tatmadaw staged a coup and exercised the policies of the Burma Socialist Program Party (BSPP) which led to the rapid economic decline. Myanmar was classified as a “Least Developed Country (LDC)” by the United Nations in 1987.

According to Paul Collier, there are four important traps – conflict, natural resources, bad governance and being landlocked with bad neighbours – for the poorest

¹ Myat Thein, *Economic Development of Myanmar* (Singapore: Institute of Southeast Asian Studies, 2014) p-2

countries.² Myanmar became one of the LDC due to the mismanagement policies and the internal armed conflicts. The State's valuable natural resources were a basic root of the conflict to control for the government and some of the ethnic armed groups. According to the report of Global Witness, the natural resources in the Kachin State are linked to the conflicts.³ In some ethnic areas, the local ethnic people didn't get benefits on the natural resources of their States but to the ethnic armed group leaders. Despite Myanmar is not a landlocked country, China, the longest border country, has made the conflict relation between the central government and the ethnic armed groups in the Kachin State.⁴ On the government site, China made a good tie between two countries as a carrot. But there is also a stick. China's economic activities on water energy and natural resources are also crucial on the stability in the Kachin State. In history, the communist group in Myanmar had received open support from China by the mid-1960s.⁵ When the ethnic armed groups were forced as the border guard units by the regime of State Peace and Development Council, they have resisted with Chinese support⁶.

In 2011, Myanmar has made the democratic transition with the result of 2010 general election. The then Present U Thein Sein had made in political reforms and

² David Lewis, *Non-governmental organizations and development* (London; New York: Routledge, 2009)p-20

³ Global Witness's Report on "Jade: Myanmar's Big State Secret" 2015

⁴ Loreen Tsin (Qin Liwen), *China Monitor; China and Myanmar: Beijing's Conflicting Role in the Kachin Peace Process* (Mercator Institute for China Studies, 2014)

⁵ Thant Myint-U, *The River of Lost Footsteps* (New York, Farrar. Straus and Giroux (2006) p-299

⁶ Tom Kramer, *Ethnic Conflict in Burma: The Challenge of Unity in a Divided Country* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2010)

economic reforms simultaneously. It is not possible to flourish democracy without national reconciliation and internal peace. And also peace is not possible without economic development.

2. The Aims and Focus of the Study

The aim of my study is to highlight the important role of peace negotiation process in Myanmar to get eternal peace. Through the peace, the country could lead to national reconciliation and set up the sustainable development plans for all sectors of the country. Also with the strong economic, the country would achieve eternal peace. In consequence, the country could step into a sustainable democratic one in the world community.

3. Significance of the Study

Myanmar has made political reforms since 2011 democratic transition with the 2008 constitution. The then President U Thein Sein called for a new round of bilateral peace talks without preconditions. In his inaugural address to the Pyidaungsu Hluttaw, he mentioned that their government would keep peace door open for the organizations and individuals who would come to power in justice way with the democratic practice. In December, 2012, he formed two union-level peace teams to implement the policies for ceasefire negotiations. To support these two teams, Myanmar Peace Centre (MPC), which was supported by the Norway-led Peace Support Donor Group, was founded and chaired by U Aung Min, one of the President's Office Ministers. On 15th October,

2015, the then government signed the Nationwide Ceasefire Agreement (NCA) with eight ethnic armed groups. The NCA was the first multilateral agreement between the government and ethnic armed groups in history. In the NCA, it set up a political roadmap for political dialogue to step into peace.

My research topic is related to the policies and implementation of the new government. It will find out how the role of peace negotiation process is important in the democratic transition of Myanmar and to go straight as a sustainable and consolidate democratic and developed country. The research will especially focus on the peace negotiation processes which started in 2011 and the current situations.

4. Research Questions

The conflicts of Myanmar launched before independence and lasted for over six decades. The on-going conflicts are affecting to political settlement and security of the country. After independence, the successive governments tried to achieve peace but they couldn't afford to step into sustainable peace and even though they had achieved to some extent, the agreements were bilateral between the government and the individual ethnic armed groups. In accordance with the 2008 constitution, the country started practicing democratic system in 2011. The government led by the then President U Thein Sein started peace negotiation processes and signed the Nationwide Ceasefire Agreement with eight ethnic armed groups. But it has still remaining ethnic armed groups out of the agreement. The NCA is the foundation of the on-going peace

negotiation process and the process will be the settlement of democratization in Myanmar. This study attempts to answer the following questions:

- How has democratic transition opened up opportunities for peace negotiation between the government and ethnic armed groups in Myanmar?
- What are the characteristics and procedures of peace negotiation process of Myanmar during democratic transition?
- What are possible challenges and opportunities for consolidating comprehensive peace in Myanmar in the context of democratic transition?

5. Literature Review

(a) The Concepts of Conflict and Peace Negotiation

The World is not a place which ever belongs to eternal peace. After World War II, the United Nations was established to maintain world peace and security. Emmanuel Hansen identifies “peace as a universal desideratum.”⁷ He argues that peace and development problematic go together⁸. Through peace, people could try to raise the standard of living and to develop the countries. Poor economic performance also bears the conflicts. There is direct linkage between peace and development. Boutros Boutros-Ghali, the 7th Secretary General of the United Nations, stated that “there can be no peace without economic and social development, just as development is not

⁷ Emmanuel Hansen, *Africa: Perspectives on Peace and Development* (University for Peace, Switzerland 2011), p-3

⁸ *Ibid.*

possible in the absence of peace.”⁹ Kenneth N. Walt marked that there are many ways to seek peace under varying conditions. To pursue the end of the conflict, the complexity of the problem makes the combining activities and these combining activities will lead the goal.¹⁰ Sung Yong Lee also expressed that “Western societies generally consider conflict, in a general sense, as positive, normal, and something that can bring growth and creativity.”¹¹

Peace negotiation is to achieve peace agreement and leads the end of the conflict among the countries, between two or more parties, or the internal conflicts. The essence of negotiations is for the parties to work together to solve a problem.¹² It focus to start the reconciliation of key drivers of conflict and to get genuine reconciliation. A successful negotiation process requires confidence in the process form both leaders and their followers¹³. Amit Ron argued that peace process is the interaction between two communities which means the interaction between the public and elite within communities. He argued that understanding the peace process is an epistemological crisis, a crisis of knowledge and understanding which situation is of

⁹ United Nations “An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping”. Report of the Secretary-General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277-S/24111, 17 June 1992

¹⁰ Kenneth N. Walt, *Man, the State and War* (New York, Columbia University Press 1893), p-2

¹¹ Sung Yong Lee, *The Limit of Ethnocentric Perceptions in Civil War Peace Negotiations* (Conflict Resolution Quarterly, Spring 2011), p-355

¹² Foreword by General Lazaro Sumbeiywo, Chief Mediator of the IGAD led process between SPLM/A and the Government of Sudan (2002-2005), *Unpacking the Mystery of Mediation in African Peace Processes* (Mediation Support Project, CSS and swisspeace 2008), p-5

¹³ Report of Workshops held in Chiangmai, Thailand & New Delhi (2000), *Negotiating a Political Settlement in South Africa – Are there lessons for Burma?* (International Institute for Democracy and Electoral Assistance (International IDEA) 2001) p-21

the old ways or concepts of knowing and understanding about the conflict do not fit the new reality¹⁴.

Erin McCandless and Tony Karbo argues that a conflict caused by the elites for the control of state power and consequent access to certain material resources could make more manifestation than a conflict apparently caused by ethnic or racial divisions. To achieve peace, it needs to understand the nature and character of the conflicts, the causes of conflicts, the patterns of conflict and the effect of conflict, the involvement of external power in the conflict, the style and nature of this involvement¹⁵.

(b) Global Conflicts and Peace Operations

The intractable conflict in Northern Ireland started in 1921 division of Ireland and the region's tensions were exacerbated by political, social and economic inequalities that mixed deeply rooted elements of ethno-national identity and religious affiliation. For years, the British and Irish governments sought to facilitate a political settlement. After many ups and downs, the two governments and the Northern Ireland political parties achieved the Good Friday Agreement or the Belfast Agreement for the peace in 1998¹⁶. In the case, Jonathan Powell, who was Tony Blair's Chief of Staff during his term as Prime Minister, pointed out the importance of process itself like that

¹⁴ Amit Ron, Peace Negotiations and Peace Talks: the Peace Process in the Public Sphere (International Journal of Peace Studies, Volume 14, Number 1, Spring/Summer 2009)

¹⁵ Emmanuel Hansen, Africa: Perspectives on Peace and Development (University for Peace, Switzerland 2011) p-11

¹⁶ Kristin Archick, Northern Ireland: The Peace Process (Congressional Research Service, 2015)

“You have to keep the process moving forward, however slowly. Never let it fall over.”¹⁷ Without a process, there is no hope and it can create renewed violence.

In Sudan, there was an internal conflict between the government which represented the North and the challenging rebel group called Sudan People’s Liberation Army, SPLA/ Sudan People’s Liberation Movement, SPLM which represented the South, on the issue of power sharing. The conflict started in 1983 and ends in 2005 with the Comprehensive Peace Agreement (CPA) or the Naivasha Agreement. The CPA included agreements during three years since 2002 and the agreement had specific timetables. To get the agreement between two sides, it involved outside mediators and finally it concluded with the help of the regional organization Inter-Governmental Authority on Drought and Development (IGAD) and Kenyan mediator General Lazaro Sumbeiywo as well as the Troika¹⁸.

(c) Regional Conflicts and Peace Operations

Kristian Herbolzheimer stated that no peace process has been implemented without some difficulties¹⁹. In the Philippines, the 17 years lasting peace negotiation of the government and the Mora Islamic Liberation Front finally achieved and signed the

¹⁷ Democratic Progress Institute, The good Friday Agreement – An Overview, 2013 (p-33)

¹⁸ Peter Wallensteen and Mikael Eriksson, Negotiating Peace: Lessons from Three Comprehensive Peace Agreements (Department of Peace and Conflict Research, Uppsala University, Sweden, 2009)

¹⁹ Kristian Herbolzheimer, The Peace Process in Mindanao, the Philippines: evolution and lessons learned (NOREF - Norwegian Peacebuilding Resource Centre, Report, December 2015) p-1

Comprehensive Agreement in 2014. He also pointed out the need of creation of the parallel dialogue for various interest groups apart from the negotiations between the government and the insurgency to peace talks²⁰.

According to figures from the School of Peace Culture, 58.3% of the armed conflicts are associated with demands for self-governance or identity issues, particularly in Asia and Europe²¹. The conflict in Southern Thailand is also linked to the country's centralism and the government and the insurgent groups attempted to negotiate many times. The willingness of the insurgent groups is to engage in negotiations with the government to reach autonomy or the status of administrative region²².

(d) Myanmar Peace Operations

Marte Nilsen argues that “democratization does not in itself provide a viable solution to the country's ethnic conflicts.”²³ He highlighted the need of the involvement of all ethnic groups in the political process of the country, the problem of the amendment of the Constitution for federal-based system to secure genuine political representation, self-determination and equal rights for the minority ethnic groups, to

²⁰ Ibid.

²¹ Vicenç Fisas, *Peace Diplomacies: Negotiating in Armed Conflicts* (School for a Culture of Peace) p-18

²² Vicenç Fisas (ed.), *Yearbook of Peace Processes* (School of Culture of Peace, 2015) p-177

²³ Marte Nilsen, *Will democracy bring peace to Myanmar?* (Peace Research Institute, Oslo, Norway, 2013) p-117

step the lasting peace for the country²⁴. Peace cannot be created at the highest political alone; rather, the whole society must be involved in the peace process.²⁵ The decentralization of the government can offer hope of lasting peace and genuine integration.²⁶

Ashley South and Marie Lall state that after the transition in 2011, one of the most interesting and important development is the prominence of the ethnic issues on the national political agenda in Myanmar. They state that ethno-linguistic issues are often at the heart of armed conflicts in Myanmar and shaping education policy and practice are key variable in the peace process. They also argue that significant education and language policy need to be addressed in the multi-stakeholder political dialogue framed by the peace process in Myanmar²⁷.

On 15th October 2015, the government and eight ethnic armed groups signed the Nationwide Ceasefire Agreement and at the signing ceremony, the then President U Thein Sein said “The NCA-based peace process will become the only path for achieving sustainable and lasting peace in the future new Myanmar.”²⁸ Lain Sakhong, a member of Nationwide Ceasefire Coordination Team (NCCT) and the Senior

²⁴ Ibid.

²⁵ Timo Kivimäki & Paul Pasch, *The Dynamic of Conflict in the Multiethnic in the Union of Myanmar* (Germany, Berlin, the Friedrich-Ebert-Stiftung, 2009) p-5

²⁶ Larry Diamond –Advance Version-Not for Reproduction, *The Opening in Burma, The need for a political path* – Journal of Democracy – October 2012, Volume 23, Number 4 (p-145)

²⁷ Ashley South and Marie Lall, *Schooling and Conflict: Ethnic Education and Mother Tongue-based Teaching in Myanmar*, 2016

²⁸ *The Global New Light of Myanmar*, Volume II, No. 178, 16th October 2015, *Published by the Ministry of Information*

Delegation (SD) for Nationwide Ceasefire Agreement, argues that NCA is not the goal of the ethnic armed groups but to solve the political crisis to put an end to long-standing conflicts²⁹.

Ashley South describes that Myanmar peace process is unusual due to the lack of international mediation like other countries such as Cambodia, the Philippines but it rather resembles with Thailand. The peace talks were initiated by the government and local mediation and the international community's role was limited as observers and technical and financial support. The main difference is Myanmar faces many ethnic armed groups. The limited nature of international support to the peace process in Myanmar is the suspicious of external interference in its domestic affairs. Only a broad political settlement could maintain the momentum of positive developments on peace³⁰. Donald L. Horowitz marks "Ethnically divided societies thus have a special version of the usual democratic problem of assuring decent treatment of the opposition."³¹ Aung Naing Oo also argues that the huge ethnic diversity is one of the major challenges facing peace process in Myanmar and each ethnic wants its own identity and it is not easy to create common one³².

²⁹ Lain Sakhong is a member of the NCCT and SD for Nationwide Ceasefire Agreement. Development Dialogue 2015: Inclusivity and the peace process in Burma/Myanmar – perspectives of an ethnic leader and a civil society activist

³⁰ Ashley South, Prospects for Peace in Myanmar: Opportunities and Threats (Peace Research Institute Oslo (PRIO), 2012)

³¹ Donald L. Horowitz (1993), Democracy in Divided Societies. Journal of Democracy, Volume 4, Number 4 – (<https://muse.jhu.edu/article/225437/pdf>)

³² Oliver Slow, Frontier Myanmar - <http://frontiermyanmar.net/en/aung-naing-oo-the-patient-peace-advocate>

Elliot Brennan and Min Zaw Oo pointed out that the trust between the government and the ethnic armed groups is the key weakness for all inclusivity in the negotiation. The change in government is the opportunity to reconcile the country because the ethnic armed groups have previously considered the National League for Democracy (NLD), currently the ruling party, as their ally and against the government. NLD could bring NCA non-signatories to the table and achieve peace³³.

At the second meeting with the members of Union Ceasefire Joint Monitoring Committee (UCJM), which was founded according to the Nationwide Ceasefire Agreement (NCA), Daw Aung San Suu Kyi, State Counsellor, said that “there is no reason not to succeed in the peace process if we all really desire peace and if we have genuine goodwill.”³⁴ She also added “not to approach to the give and take policy but to think of what you can give as the first priority, showing the correct attitude toward the country.”³⁵ Senior General Min Aung Hlaing, Commander-in-Chief of the Defence Services, also said, “We cannot be dogmatic; we must be flexible.”³⁶ On the side of ethnic groups, they believe that only negotiation on the terms of the Panglong

³³ Elliot Brennan and Min Zaw Oo, *Peace, alliance and inclusivity: Ending conflict in Myanmar*, 2016 - <https://www.brookings.edu/opinions/peace-alliance-and-inclusivity-ending-conflict-in-myanmar/>

³⁴ State Counsellor Office Website, *From the talks to UJMC*, 2016, <http://www.president-office.gov.mm/en/?q=administration/state-counselor/id-6276>

³⁵ Ibid.

³⁶ *The Global New Light of Myanmar*, Volume III, No. 75, 30th June, 2016, p-3 *Published by the Ministry of Information*

Agreement based on self-determination, federalism and ethnic equality will resolve the ethnic conflict in Myanmar.³⁷

6. Methodology and Data Analysis

In my research, I apply qualitative method to find out peace negotiation process in the democratic transition. For data collection, I use secondary data in terms of the reports published by the peace making bodies like MPC, the newspapers published by the government, the documents from the NRPC, television reports, the official website of the President's Office of Myanmar, the State Counsellor Office and other related articles, journals and books. For my analysis, I divide into two sections. In the first section, I investigate the processes of peace negotiations and the discussion issues. In the second part, the research tries to present the results and progress of negotiations, the perspectives from the government, the Tatmadaw, the ethnic armed groups, the experts and scholars including international, and the envoys. And it also presents the opportunity and the challenges that encountered on both sides.

7. Outline of the Study

The paper covers in five parts. The first part mentions the overview of the research, aims of the study, motivation or significance of the study, research questions, literature reviews covering on the general overview of the concept of peace, negotiation and process based on globally, regionally and Myanmar, and also includes

³⁷ Myanmar Peace Monitor Website - <http://www.mmpeacemonitor.org/peace-process/ethnic-peace-plan>

methodology and outline of the study. In the second part, I highlight the historical background of the conflicts and it is mentioned by chronological dates based on the British colonial period, Nationalist movements, Independence period, military regime and democratic transition period. In the third chapter, I analyze the characteristics of the prolonged peace negotiation process and issues between the government and the ethnic armed groups of Myanmar. In the fourth part, I analyze the implementation and perspectives as to the negotiation process. The last portion draws the conclusion of the research and the prospect of the peace negotiation in the future, including key issues and obstacles to overcome the prolonged conflicts and to achieve the sustainable peace for the country.

II. Historical Background

Myanmar is a nation with significant historical traditions and with different languages and distinctive cultures. There are 135 different ethnic groups divided into eight major national ethnic races. The total population of the country is over 51.486 million.³⁸ Burmese are 69.0 percent of the total population, indigenous races are 25.7 percent and the others foreign races constitute only 5.3 percent of the total population. Myanmar people have been living in harmony and unity throughout the history. With the three Anglo-Burmese wars, the nation lost the sovereignty of power in 1885. Since independence in 1948, the country has been faced internal armed conflicts. To understand the intractable conflicts, it is necessary to go back into the history.

1. British Colonial Period

During the British colonial rule, the various parts of the country were administered separately, by applying “divide and rule” policies. Burma Proper was ruled directly by the British whereas the Frontier areas were ruled indirectly³⁹. In the Frontier areas, the local rulers continued governing by themselves in the concerned areas. This “divide and rule” policy was the major consequence to become the future conflicts between the Burma people and the ethnic groups. Under the British rule, the ethnic groups got more political autonomy, but there was no development. Martin

³⁸ The 2014 Myanmar Population and Housing Census: Highlight of the Main Results (Ministry of Immigration and Population, 2015) p-2

³⁹ Lowell Dittmer, *Burma or Myanmar? The Struggle for National Identity* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2010) p-30

Smith mentioned that most minority peoples, including the Karen, Kachin and Muslims stayed loyal to the British while General Aung San led the Burma's national liberation movements with the Japanese.⁴⁰ Under the colonial rule, the British recruited mainly ethnic people into the army rather than Burma and many of the ethnic people converted to Christianity.⁴¹ Because of the British's divide and rule policy, even in the struggle for the national liberation movement, Burma leaders and some ethnic minority leaders didn't have unity, in the beginning. Besides, the British also adopted "Frontier Crossing Act"⁴². This law restricted the ethnic people not to cross and contact to Burma proper without permission.

2. Nationalists Movement

After World War II, Burma national liberation movement was led by General Aung San⁴³. As a symbol of equality, General Aung San promised to the ethnic leaders: "If Burma receives one Kyat⁴⁴, you will also get one Kyat"⁴⁵. His philosophy of "Unity in Diversity" dominated Burma's political life. Martin Smith mentions:

⁴⁰ Martin Smith, *Ethnic Groups in Burma – Development, Democracy and Human Rights* (London, Anti-Slavery International, 1994)

⁴¹ Update Briefing: A Tentative Peace in Myanmar's Kachin Conflict (International Crisis Group, 2013)

⁴² Ye Khaung Maung Maung, *U Pe Khin, Ko Twae Panglong*, (Panglong, An Inside Story) (2008) p-18

⁴³ General Aung San was the national hero for Burma Independence and the founder of the Burma Tatmadaw

⁴⁴ *Kyat is Myanmar currency.*

⁴⁵ Martin Smith, *Ethnic Groups in Burma – Development, Democracy and Human Rights* (London, Anti-Slavery International, 1994) p-24

“In his Blueprint for a Free Burma, Aung San combined a mixture of nationalist, communist and parliamentary ideas. He called for equal economic development and simultaneous independence for all ethnic groups as the best way to bring the country together.”⁴⁶

The challenge then for General Aung San was to convince people in the frontier areas to join in the deal for the independence. In 12th February, 1947, at the small town of Panglong in the Shan State, he gained the agreement with the ethnic leaders, with the deal of full autonomy in internal administration and an equal share in the country’s wealth for frontier areas.⁴⁷

At the Panglong conference, Karen ethnic representatives did not sign in the agreement but they attended as observers. They believed that Karen State was not under the British’s colony and also not Myanmar’s and the state had already gained the freedom and independence.⁴⁸ In fact, the Karen State was one part of Burma before the British colonization. When British invaded Myanmar, they forced Myanmar King to sign the contract about Karen State territory. According to the contract, the Karen State was out of Burma’s territory. However, the Karen State was under the guidance of the British superintendent of the Shan State and nothing could be done without the

⁴⁶ Ibid.

⁴⁷ Thant Myint-U, *The River of Lost Footsteps* (New York, Farrar. Straus and Giroux (2006) p-253

⁴⁸ Ye Khaung Maung Maung, *U Pe Khin, Ko Twae Panglong*, (Panglong, An Inside Story) (2008) p-22

permission of the superintendent.⁴⁹ But, on the other hand, some of young Karen ethnic leaders agreed the political process of the Panglong Agreement and they met the Burma representatives secretly.⁵⁰

“For ethnic leaders, the key issues were to have equality, self-determination and full autonomy in internal administration to safeguard their position in the future state.”⁵¹ Tragically, General Aung San and most of the cabinet members were assassinated on 19th July, 1947. The country’s new constitution was hastily adopted and included the right to secede after ten years of national independence for ethnic people.⁵² In fact, the Panglong Agreement was the foundation to get the independence of Myanmar altogether. On the other hand, it was the root cause of the internal conflicts and the spirit based on the agreement is the only one solution to get peace and to resolve internal conflicts as well.

3. Independence and Conflicts

Burma regained the independence on 4th January, 1948. Within a year after independence, the whole country was in turmoil. The Burmese Communist Party or the Communist Party of Burma (CPB) disagreed with the way of the Anti-Fascist People’s Freedom League (AFPFL), which was the then ruling party, and went underground in

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Tom Kramer, *Ethnic Conflict in Burma: The Challenge of Unity in a Divided Country* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2010) p-55

⁵² 1947 Constitution of Union of Burma (Rangoon, 1948)

March 1948⁵³. The communists were militarily campaigning against the government and soon after ethnic tensions exploded in Karen and other ethnic uprisings. Even within the administrative body, it fell apart politically, including personal rivalries and ideological differences. From the early 1958, the government had been faced the opposition of the communist groups and armed rising of some ethnic groups, asking for separation according to the 1947 Constitution of the Union of Burma⁵⁴. The government couldn't control the country's stability and General Ne Win took the power of the country for 18 months as the caretaker government. The caretaker government successfully established the turmoil of the country and paved the way for the new general election in 1960 and transferred the power to the civilian government. The then ruling government had faced the diversity of ideology within the government body, the tension and violence making Buddhism the State Religious and the demand for the equality and federation.⁵⁵ In February 1962, the government convened a Nationalities Seminar with the ethnic groups to discuss the issue of federalism and to amend the constitution.⁵⁶ But on the next day, the Tamadaw led by General Ne Win staged a coup. From then on, the seeds of later conflicts were being laid again.

4. Military Rule

⁵³ Martin Smith, *Ethnic Groups in Burma – Development, Democracy and Human Rights* (London, Anti-Slavery International, 1994)

⁵⁴ Thant Myint-U, *The River of Lost Footsteps* (New York, Farrar, Straus and Giroux (2006)

⁵⁵ Hiroko Kawanami, *Buddhism and the Political Process* (Palgrave Macmillan, 2016) p(40-43)

⁵⁶ Dr. Maung Maung, *Myanma Naingganyae Khayee Hnint Bo Gyoke Gyi Ne Win* (The Journey of Myanmar Politics and General Ne Win), (Bagan, 1969, Thuriya Sarpay, 2012, 2014) p-349

On 2nd March 1962, General Ne Win and other senior military officers staged a coup. The Tamadaw government had argued that the coup was necessary to keep the country together and to save the Union.⁵⁷ General Ne Win believed that the Tamadaw was the only institution which could hold the ethnically diversity of the country. The regime ruled the country from 1962 to 1974. In 1974, the country practiced as one party system, the Burmese Socialist Program Party (BSPP) according to the 1974 Constitution. The new constitution centralized every aspect of political, economic, social and cultural life and also abolished the right of secession. All large industries and business enterprises were nationalized under the “Burmese Way to Socialism,” the party’s official doctrine.⁵⁸ From the time of 1970s to 1980s, Myanmar became one of the world’s most impoverished countries. The country led very rapid economic decline at that time. As a consequence, some of the other ethnic groups started rebellion. Mismanagement in economic and political oppression led to widespread pro-democracy demonstrations through the whole country in 1988.

Because of the 8888 Uprising⁵⁹, the Tamadaw staged a coup next time and installed the country under the name of the State Law and Order Restoration Council (SLORC), later changed to the State Peace and Development Council (SPDC). The Tamadaw claimed that they took the power to prevent the disintegration of the Union.⁶⁰

⁵⁷ Ibid.

⁵⁸ Tom Kramer, *Ethnic Conflict in Burma: The Challenge of Unity in a Divided Country* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2010) p-56

⁵⁹ 8888 Uprising happened on 8th August, 1988.

⁶⁰ Thant Myint-U, *The River of Lost Footsteps* (New York, Farrar. Straus and Giroux (2006) p-36

The ethnic leaders felt that they had no influence in politics and they had no economic and social development in their areas. Although the SLORC held the general election in 1990, they didn't transfer the power to the winner party, the National League for Democracy Party. The Shan Nationalities League for Democracy (SNLD) Party, one of the main ethnic parties stood the second winner in the election. At that time the SLORC government argued that it was not ready for the country to hand over the power of the country to the winner party because there was no constitution in the country.⁶¹

But the then government succeeded in forming ceasefire alliances with 17 of the 18 largest ethnic armed groups, bringing under their control. These ceasefire alliances were all bilateral and the ethnic armed groups retained their weapons. On 29th May 2008, the nation-wide referendum adopted the 2008 Constitution. According to the constitution, all ceasefire groups must transform into "Border Guard Forces" (BGFs). These forces must be under the control of the Tatmadaw⁶².

5. Democratization Period

In 2011, the new civilian government led to the democratic transition and made peace negotiation process with the ethnic armed groups. The government also made negotiations with the leaders of political parties for the peace. On 15th October

⁶¹ From the speech of U Tin Aye who was former Chairman of the Union Election Commission, at the meeting with the President and the political parties (Myanmar Peace Center, 2014)

⁶² *Tatmadaw* means Myanmar Defence Services.

2015, the government and eight ethnic armed groups signed the Nationwide Ceasefire Agreement (NCA) and they agreed to implement the peace process according to the contract. The NCA was the first multilateral agreement for the government in history.

On 8th November 2015 election, the National League for Democracy (NLD) Party won the landslide election victory and handed over the power of the country on 30th March, 2016. On that day, at the inauguration ceremony, the new President addressed the four priorities of the new government policies at the Pyidaungsu Hluttaw⁶³. These policies are “national reconciliation; internal peace; the emergence of constitution that will lead to effectuation of a democratic, federal union; and raising the quality of life the majority of the people.”

⁶³ *Pyidaungsu Hluttaw* means the Parliament

III. Peace Operation Processes and Negotiating Issues

1. The Governments' Peace Making Bodies

Since the independence, the successive governments tried to end the armed conflicts which have been lasted over six decades. The new civilian government assumed the responsibility of the country on 30th March, 2011. The then President U Thein Sein addressed at the Pyidaungsu Hluttaw and in his speech, he highlighted that the government would keep peace door open to welcome the individuals and organizations who would come to power in justice way with the democratic practice. On 18th August 2011, the government issued the announcement for the invitation to peace talks to the national race armed groups⁶⁴. In May, 2012, the government formed the Union-level peace team with two committees; the Union Peace-making Central Committee (UPCC) led by the President and the Union Peace-making Working Committee (UPWC) led by the Vice President. In November 2012, the Myanmar Peace Centre (MPC) was also founded to assist these two committees. The aim of the team was to strengthen and perform the peace process systematically. It had made the progress for cooperation with three phase peace plan; the State level ceasefire agreement, political dialogue in the Union level and nationwide ceasefire for eternal

⁶⁴ *Myanma Alin Daily* (The New Light of Myanmar), Volume XIX, Number 120, 19th August, 2011, *Published by the Ministry of Information*

peace. The then government had signed the bilateral ceasefire agreements with 14 ethnic armed groups.⁶⁵

(a) The Role of Myanmar Peace Centre (MPC)

MPC played a key role in negotiating with the ethnic armed groups and it was chaired by U Aung Min, one of the President Office Ministers at that time. Some of the participants opposed to the government in abroad before democratic transition. Its mission was to contribute to sustainable peace and an overall political settlement⁶⁶. The MPC was also for policy advice and strategic level guidance. The World's famous leaders like former US President Bill Clinton and former Prime Minister Tony Blair from the United Kingdom shared their experiences of democracy, peace and political transitions at the MPC. It also served as a platform to meet and negotiate for the government, the ethnic armed groups, civil society organizations, international donors and INGOs.

2. The Ethnic Armed Groups' Peace Making Bodies

Before the election in 2010, the SPDC urged the ethnic armed organizations to transform into Border Guard Forces (BGFs) according to the 2008 constitution⁶⁷. Most of the ethnic armed organizations refused the government's plan. But on their side,

⁶⁵ See Appendix 3

⁶⁶ Myanmar Peace Monitor Website - <http://www.mmpeacemonitor.org/peace-process/government-peace-plan>

⁶⁷ Ibid

there is no cohesive body to represent all the ethnic armed groups and all ethnic political parties for their various dimensions and demands at that time.

(a) United Nationalities Federal Council (UNFC)

The UNFC was founded in 2011 and it was a coalition of the ethnic armed organizations. It was to represent all the ethnic armed groups in the negotiation with the government. But it represented only 12 ethnic armed organizations⁶⁸. Its political goal is to establish a Genuine Federal Union, which guarantees for national equality and self-determination and its principle is to resolve political issues by political means.⁶⁹ Although the UNFC was the coalition of 12 ethnic armed groups, it had internal conflicts between the leaders of the UNFC because the chairman of KNU, one of the largest ethnic armed groups, claimed to review the policies and structure of the UNFC and warned to be aware that the activities of the UNFC might slow or delay the peace process.⁷⁰ He criticised that the structure of the UNFC was lack of freedom for the members and urged for a parallel cooperation structure instead of a top-down system.

(b) Nationwide Ceasefire Coordination Team (NCCT)

⁶⁸ See *Appendix 2*

⁶⁹ Deciphering Myanmar's Peace Process: A Reference Guide 2014 (Burma News International, Thailand, 2014)

⁷⁰ Deciphering Myanmar's Peace Process: A Reference Guide 2015 (Burma News International, Thailand, 2015) p-55

The NCCT was founded at Laiza ethnic conference in Myitkyina in November 2013 and it composed of 13 members from the ethnic armed groups. It was to engage with the government directly and to discuss the necessary agreements. The conference was held with 18 ethnic armed groups⁷¹. They discussed future political dialogue and confidence building among the ethnic armed groups. They drafted 11 points agreement, including basic principles for political dialogue, and dealing with future Tatmadaw and the ethnic armed groups. The ethnic groups wanted a union Tatmadaw, including ethnic armies to continue to be directly separate outfits and for the post of the Commander-in-Chief of the Defence Services, to appoint from ethnic groups in turn⁷². The draft was based on discussions of the ethnic armed groups. Not represented at the conference were the United Wa State Army (UWSA) and National Democratic Alliance Army (NDAA) based on eastern Shan State⁷³. Their reasons were health concerns of its chairman by the UWSA and language barrier by the NDAA⁷⁴. The other group RCSS/SSA did not sign the draft. The Laiza had a common agreement and it was to have the guarantee political dialogue first and then to go on the nationwide ceasefire agreement.

On 4th November 2013, members of the Union Peace-making Work Committee, the Tatmadaw representatives, the Hluttaw members and the NCCT members held their meeting in Myitkyina in the northern part of Myanmar. On the government side,

⁷¹ Myanmar Time, Issue 703, November 11-17, 2013

⁷² Ibid.

⁷³ Myanmar Times, Issue 702, November 4-10, 2013, p 4-5

⁷⁴ Ibid.

it had 15 points agreement for negotiation. The draft proposed by the government side included to stop fighting, not to build new military camps, not to recruit soldiers, not to produce weapons, or even sell, buy or stockpile arms. As there would be a joint monitoring committee, the ethnic armed groups would also need to inform their military strength, to get permission from the committee to travel outside their controlled area and to avoid fighting the Tatmadaw soldiers who are serving for the defence and security of the state. The Tatmadaw also proposed 6 points in the meeting; true will to get peace, to promise the agreements, not to exploit the peace agreement, not to burden the locals, to follow the rules and regulations issued by the Government and to follow the 2008 constitution with democratic and 3 main objectives. On the side of the ethnic armed groups, they submitted their proposed 11 points ceasefire agreement at the conference.

The second ethnic conference of the ethnic armed groups was convened in Law Khiin Lar in the KNU controlled area in Kayin State in January 2014. At the conference, they discussed to go ceasefire agreement first, then political dialogue instead of the agreement that approved in Laiza ethnic conference. The conference did not represent all the ethnic armed groups due to the lack of UWSA and RCSS.

On 10th March, 2014, members of the UPWC, the Tatmadaw representatives, the Hluttaw members and the representatives of the NCCT agreed to have a single text for the nationwide ceasefire agreement. It included seven sections: Basic Principles, Aims and Objectives, Ceasefire Related Matters, Maintaining and Strengthening

Ceasefire, Guarantees for Political Dialogue, Future Tasks and Miscellaneous⁷⁵. The UPWC and the NCCT delegations continued negotiating towards a single text draft of the NCA.

3. Signing the Nationwide Ceasefire Agreement

The UPWC from the government side and the NCCT of the ethnic armed groups made the negotiations for seventeen months from November 2013 to March 2015. Finally, they agreed the draft for NCA with 33 points in 7 sections. However, the ethnic armed groups demanded for further supplement and amendment so they founded a Senior Delegation (SD) to negotiate with the UPWC. On 7th August, 2015, the UPWC and the SD made the final negotiation and agreed the draft NCA. The then government officially invited 15 ethnic armed groups to sign the NCA in order to make the political dialogue for national reconciliation and to end the armed conflicts.⁷⁶ Some ethnic armed groups have talked about 21 groups.⁷⁷ But the NCCT represented 16 ethnic armed groups, including TNLA. The TNLA needed to sign a bilateral ceasefire agreement first to involve in the peace process. The ANC, WNO and LDU were excluded because they had no longer militarily active. The government considered AA to be subsidiary to the KIO and it was to negotiate under the single banner for the three

⁷⁵ UPWC-NCCT Nationwide Ceasefire Talks Joint Statement, 10th March, 2014

⁷⁶ From the Invitation letter for signing the Nationwide Ceasefire Agreement, 11th August, 2015

⁷⁷ See *Appendix 1*

groups, AA, ALP and ANC.⁷⁸ MNDA was not recognized for the status of political armed group. The UPWC refused to negotiate with these three groups as they were not recognized as dialogue partners. Due to the exclusion of these three groups, many critics were of the opinion that the government's peace implementation could not be called a "Nationwide Ceasefire Agreement" and also the bilateral agreements at the states and Union levels would have no distinction for peace implementation. The ethnic leaders called for all-inclusive participation in the peace process. However, on 15th October, 2015, the government and eight ethnic armed groups⁷⁹ signed the historic nationwide ceasefire agreement (NCA) and that has paved the way for political talks with precious momentum.

4. Nationwide Ceasefire Agreement (NCA)

Myanmar Peace Centre (MPC) and members of NCCT wrote up the NCA in details. NCA consists of seven chapters and its aim is to achieve lasting and sustainable peace through the political dialogue including all relevant stakeholders.⁸⁰ The first chapter is based on the basic principles of establishing a union based on the principles of federal democratic system by the outcomes of political dialogue. It will include national equality and the right of self-determination. The second chapter is about the aims and objectives of the NCA and the government and the ethnic armed groups

⁷⁸ Aung Naing Oo, Myanmar's ethnic armed groups serve complex alphabet soup – Nikkei Asian Review

⁷⁹ See *Appendix 4*

⁸⁰ Peace & NCA (Myanmar Peace Center, 2015)

agreed to start the dialogue with the participants based on the framework for political dialogue. The third chapter is the ceasefire related matters and it is to have exact timeframes for the implementation to the agreements and to made investigation of Joint Ceasefire Monitoring Committee (JCMC) on military codes of conduct.

The fourth chapter is maintaining and strengthening ceasefire. It is to form the JCMC with the members of the UPWC, the representatives from the ethnic armed organizations, and the trusted and well-respected individuals. The ceasefire committees are to have three levels in which national, state and local levels with verification teams. The fifth chapter is guarantees for political dialogue. It includes the political roadmap to end the conflicts through peaceful political means by the signatories. The political roadmap consists of seven steps to carry on the peace process. According the NCA, the political roadmap to follow by the government and the ethnic armed organizations is mentioned below;

- a) Signing of the Nationwide Ceasefire Agreement.
- b) Drafting and adopting the “Framework for Political Dialogue” by representatives of the Government and the Ethnic Armed Organizations.
- c) Holding national political dialogue based on the adopted Framework for Political Dialogue, and negotiating security reintegration matters and undertaking other necessary tasks that both parties agree can be carried out in advance.
- d) Holding the Union Peace Conference.

- e) Signing the Pyidaungsu Accord.
- f) Submitting the Pyidaungsu Accord to the Pyidaungsu Hluttaw for ratification.
- g) Implementing all provisions contained in the Pyidaungsu Accord, and carrying out security reintegration matters.

After signing the NCA, there will be the nationwide ceasefire agreement Joint Implementation Coordination Meeting (JICM) to form the Joint Monitoring Committee (JMC), the Union Peace Dialogue Joint Committee (UPDJC) and other related committees to implement the agreements in the contract. They agreed to implement all the decisions adopted by the Union Peace Conference. The sixth chapter is about future tasks and the last chapter is miscellaneous.

5. Implementing Mechanisms after the Deal

After peace deal, the government and the eight ethnic signatories implemented the political roadmap for eternal peace. On the other side, they needed to bring non-signatory ethnic armed groups to the NCA. On 16th October 2015, the Joint Implementation Coordination Meeting on the Nationwide Ceasefire Agreement was held for the formation of the JMC and the UPDJC in accordance with the NCA. These two committees are steering bodies to implement the NCA and to hold the political dialogue.

The Joint Monitoring Committee consists of two levels; state level and Union level. The functions of the JMC are to sustain and to have justice the ceasefire, to implement the mechanism which would be monitored the ceasefire, to find out whether any troops are violating the positional rules or not, to assist the political dialogue through the ceasefire and to build trust between the two sides.⁸¹

The Union Peace Dialogue Joint Committee (UPDJC) was formed in November 2015 and composed of 48 representatives. Among them, 16 representatives are from the government, the Hluttaws and the Tatmadaw, 16 from the eight ethnic signatories and 16 from the political parties. The committee is to negotiate and implement the political dialogue framework. In May 2016, the committee was reformed and chaired by the State Counsellor Daw Aung San Suu Kyi. The UPDJC and its functions were reformed to suit political changes and to meet future needs as permitted by the NCA. In accordance with the NCA schedule, the Political Framework was finalized by the UPDJC within 60 days after signing of the NCA⁸².

6. Framework for Political Dialogue

In accordance with the NCA, the framework for political dialogue was drawn and approved by the UPDJC in December, 2015.⁸³ The framework included 18 points

⁸¹ State Counsellor Office Website - <http://www.presidentoffice.gov.mm/en/?q=issues/peace/id-6277>

⁸² The Global New Light of Myanmar, Volume II, No. 240, 17th December, 2015

⁸³ Framework for Political Dialogue (Myanmar Peace Center, 2015)

with 9 Chapters and it was intended to be able to build a Union based on federal democratic system to have equality and self-determination with the Panglong spirit.

In the first chapter, it mentions the aims of the framework for political dialogue and they are to hold the political dialogue for sustainable peace in order to solve the political problems with political means, to find the possible ways peacefully, to establish a Union based on the federal system for fully guarantees on national equality and the right to self-determination in accordance with the outcomes from the political dialogue. The second chapter is about the basic principles for political dialogue. They are to end protracted armed conflicts and to build a sustainable peace, not to take advantage from religion for political interests and to negotiate in good faith in any issues. The third chapter is the tasks for political dialogue. The procedures are as follows;

- a) Drafting and adopting the “Framework for Political Dialogue”
- b) Holding national-level political dialogue meetings and the Union Peace Conference.
- c) Signing the Pyidaungsu Accord.
- d) Submitting the Pyidaungsu Accord to the Pyidaungsu Hluttaw for ratification.
- e) Implementing all provisions contained in the Pyidaungsu Accord.

In the fourth chapter, the national-level political dialogue meetings would be held by the groups of the state and region governments, the ethnic armed groups and the civil societies with the guidance of the UPDJC. The representatives from the government, the Hluttaws, the Tatmadaw, the ethnic armed groups, the political parties, ethnic minorities and the participants would involve in the meetings. The outcomes from the meetings would be presented to the Union Peace Conference through the respective work committees. The Union Peace Conference would be held with 700 representatives from the seven groups mentioned above and to involve at least 30 per cent participation by women. The conference would decide the premises and suggestions presented by the work committees. For the political dialogue, it would include six discussion topics on political issue, social issue, economic issue, security issue, land and environmental related matters and miscellaneous. There are two categories in decision making. The matters for the establishing of the Union based on the federal system, security matters and other important matters need to have more than 75 per cent from each representative group in voting. The other issues need to have more than 50 per cent in voting.

The seventh chapter is management on the political dialogue. According to the NCA, the UPDJC is the steering body for the dialogue meetings. The Pyidaungsu Accord would be signed with the outcomes from the political dialogue meetings. Once after the Union Peace Conference, the agreements would be the parts of the Pyidaungsu Accord. The combination of the agreements would be signed as the

Pyidaungsu Accord by the leaders of the respective groups and the witnesses. The Accord needs to have confirmation by the Pyidaungsu Hluttaw. In implementing the agreements from the Accord, the Hluttaws, the Tatmadaw and the government ministries would amend, enact and nullify the necessary laws, rules and regulations. In the miscellaneous part, for transparency, the outcomes from the national-level political dialogue and the Union Peace Conference have to release timely. The points from the framework of political dialogue could be reviewed and adopted by the UPDJC but not deviate from the NCA.

7. First Union Peace Conference and the Discussions

The Union Peace Conference, the first and biggest gathering of political forces, was convened in Nay Pyi Taw from January 12 to 16, 2016. The five-day conference was to find a political solution to end the armed conflicts and triggered the process of building a democratic union based on federal system. The conference was also an important part of peace process to transfer to the new government due to the political situation.

Based on the Political Framework, the representatives from seven groups of the government, the Hluttaws, the Tatmadaw, the ethnic armed organizations, the political parties, the ethnic minorities and other invitees included intellectuals and intelligentsia, discussed five topics set for discussion at the conference in which

politics, security, economic, social issues and issues related to land and natural resources⁸⁴.

The discussions have had wide aspects on the five sectors from the seven groups. On security issue, the representatives of the government and the Tatmadaw read out that the Defence Services of the Union is formed with ethnic peoples and needs to build standard army. As the Defence Services of the Union was born with the independence and based on the patriotic spirit, all armed forces must be under the Union Defence Services. As Our Three Main National Causes is the national policy of the country, the Defence Services is to safeguard the non-disintegration of the Union, the non-disintegration of National Solidarity and the perpetuation of sovereignty. The representatives from the Hluttaws read out to have the only one Defence Force. From the ethnic armed groups, the Federal Union security forces must include the members from the states in proportion, to involve in decision making for security issue by the ethnic people and the forces and to be under the control of the civilian administration. From the group of political parties, they representatives read out that the federal Tamadaw is to be under the control of the civilian administration, to involve all ethnic people, and to found the Union Tatmadaw with the states' Tatmadaws and to appoint the Commander-in-Chief of the Defence Services in turn.⁸⁵

⁸⁴ The Global New Light of Myanmar, Volume II, No. 267, 13th January, 2016

⁸⁵ Documents from the Security Sector of the First Union Peace Conference, 2016

The basic principles and aims of the economic issue that read out by the seven groups were almost the same. The State economy is to have sustainable development, equal right and to get benefits from the natural resources.⁸⁶ In the discussion of the land and natural resources issues, it needs to be sure the land security, the right management and mutual benefits on natural resources and to take the agreement from the local people for the projects. In accordance with the international standards of good governance, the allocation of the land and natural resources is to have transparency, accountability, effectiveness, all-inclusiveness, rule of laws and consensus.⁸⁷

For the social sector, the discussions were on the issues of rehabilitation and resettlement of internally displaced persons (IDPs) to link with the State development plans. Humanitarian assistance must be free from the intervention of NGO, INGOs and donors on the title of the religious, race and politics.⁸⁸

The first Union Peace Conference concluded on 16th January, 2016. The discussions on the five topics were documented without any decision making as they hoped for better outcome to be produced in the time of the new government. However the first Union Peace Conference approved the following four-point proposal.⁸⁹

⁸⁶ Documents from the Economic Sector of the First Union Peace Conference, 2016

⁸⁷ Documents from the Land and Environmental Sector of the First Union Peace Conference, 2016

⁸⁸ Documents from the Social Sector of the First Union Peace Conference, 2016

⁸⁹ The Global New Light of Myanmar, Volume II, No. 271, 17th January, 2016

- a) To exert effort to finish the national-level political dialogues and the union peace conference successfully within three to five years to be able to reach the union agreement,
- b) To convene the second union peace conference as soon as possible at an appropriate time,
- c) To enable at least 30 per cent participation by women at different levels of political dialogues according to the political dialogue framework of nation-wide ceasefire agreement (NCA), and
- d) To put on record and honour those who have participated in the nation-wide ceasefire agreement (NCA) and the Union Peace Conference.

The ceasefire and peace process are helping to transform the lives of the civilians. IDPs are beginning to return to previous settlements and attempting to build their lives. Although the people in the affected areas worry whether the ceasefire can be maintained and the peace process sustained, they greatly appreciate these changes. The peace process in Myanmar is unique because the negotiations are undertaken between the government and the ethnic armed groups without external mediations.

IV. Power Transition and Policy Implementation

1. Mechanisms for Implementation

Due to the landslide election victory, the National League for Democracy (NLD) Party formed the government body and handed over the responsibility of the country on 30th March 2016. Daw Aung San Suu Kyi, the Nobel Laureate, became the State Counsellor of the Republic of the Union of Myanmar and she headed the peace negotiation process. The government founded the driving and functioning committees and bodies for the peace implementation. The first body is the National Reconciliation and Peace Center (NRPC), and led by the State Counsellor.⁹⁰ The NRPC was reformed and renamed the MPC which handled the negotiation process of the previous government. It included eleven members from the government, the Hluttaws and the Tatmadaw. The NRPC is the steering body for the policies adoption and is to set necessary policies and guidelines for ensuring the successful implementation of national reconciliation and internal peace process. The policies adopted by the NRPC are implemented by the Peace Commission.

The new government adopted to convene the Union Peace Conference/21st Century Panglong Conference based on the spirit of the first Panglong in 1947. The 1947 Panglong was a historic conference and made the agreement to get the independence Burma Proper and the Frontier Areas together. On the one hand, the

⁹⁰ President Office, Order 50/2016, 11th July 2016

Union Peace Conference/21st Century Panglong Conference is to be based on the NCA. On 31st May 2016, the government formed a Preparatory Committee for Union Peace Conference/21st Century Panglong Conference with two sub-committees.⁹¹ The preparatory committee is to take measures for holding the Union Peace Conference/21st Century Panglong Conference and to make the necessary preparations. The sub-committee 1 was to coordinate the continuation of discussions for the political framework with indigenous armed organizations that have already signed the NCA. The sub-committee 2 was to negotiate with non-signatories to involve the Union Peace Conference/21st Century Panglong Conference. The third functioning body is the Peace Commission which was formed in July 2016, and led by the new government's Chief Negotiator Dr. Tin Myo Win as Chairman.⁹² The Commission is to implement the policies adopted by the NRPC and to be smooth in the negotiations with the ethnic armed groups for the conference.

The fourth functioning committee is the UPDJC but it had already formed since the previous government in accordance with the NCA and led by the Vice President Dr. Sai Mauk Kham at that time. Due to the political situation, the UPDJC was refreshed and led by the State Counsellor Daw Aung San Suu Kyi. The committee is composed of 48 members. The UPDJC is the leading body for political dialogue. The other functioning committee is the JMC which was also founded in accordance with the NCA and led by Lieutenant General Yar Pyae. The committee is composed of

⁹¹ President Office, Notification No 26/2016, 31st May, 2016

⁹² President Office, Order 51/2016, 11th July 2016

26 members of 10 persons from the Tatmadaw, 10 from the eight signatory ethnic armed groups and 6 civilians agreed from both sides. The JMC is for monitoring the ceasefire between the Tatmadaw and the NCA signatory armed groups.

The other body is the Union Peace Conference/21st Century Panglong Conference which is the highest in the negotiation. The conference is to approve the discussions and agreements from the state/region-level and national-level political dialogues. The last functioning body is the Joint Implementation Coordination Meeting (JICM) which is to hold in accordance with the NCA. The JICM is to negotiate the deadlock issues from the UPDJC and the JMC.

2. Implementing Processes

The new government focused on all-inclusiveness in the peace dialogue, inviting non-signatory ethnic armed groups in the meeting for reviewing political dialogue framework. The two subcommittees under the Union Peace Commission made negotiations to NCA signatories and non-signatories simultaneously. The preparatory sub-committee 2 led by the chairman of the Union Peace Commission met with the UNFC's Delegation for Political Negotiation (DPN) in Chin Mai, Thailand in June, 2016 and officially invited to join the political dialogue framework meeting to participate in the 21st century Panglong conference. The meeting discussed the terms and conditions that would enable the non-signatories to the NCA to participate in the

peace conference.⁹³ The other three ethnic armed groups UWSA, NDAA and AA were also met separately by the chairman of the Union Peace Commission for the talks. The Tatmadaw imposed some conditions on the MNDAA, AA and TNLA.⁹⁴ To take part in the conference, the Tatmadaw insisted these three ethnic armed groups to disarm and not to seek political advantages from the peace process. The three groups refused the Tatmadaw's demand, the commitment to disarm.⁹⁵

The sub-committee 1 had the meetings with UPDJC and JMC members to review for the amendment of the political dialogue framework for non-signatory groups to be able to take part in the conference. According to the NCA, those who want to take part in the meeting need to sign the NCA first to become members of the UPDJC. The sub-committee 1 was successful on the revision of the political dialogue framework on the four-day meeting from 9 to 12 June to participate non-signatories to the NCA in the Union Peace Conference/21st Century Panglong Conference.

The Delegation for Political Negotiation (DPN) is a negotiating body of the UNFC for remaining seven non-signatories to the nationwide ceasefire. It was formed in February, 2016.⁹⁶ The UNFC demanded eight points to the government, including the declaration for the nationwide ceasefire by the Tatmadaw and the ethnic armed

⁹³ The Global New Light of Myanmar, Volume III, No. 49, 4th June, 2016

⁹⁴ President Office Website - <http://www.president-office.gov.mm/en/?q=issues/peace/id-6417>

⁹⁵ The Irrawaddy – Chinese Envoy Encourages UWSA, Mongle Group to Participate in Peace Conference (2016) - <http://www.irrawaddy.com/burma/chinese-envoy-encourages-uwsa-mongla-group-to-participate-in-peace-conference.html>

⁹⁶ Statement of UNFC Council (Extended) Meeting, 21st February, 2016

groups, to make tripartite peace negotiation, the formation of the JMC with representatives from the government, the ethnic armed groups and the international figures acceptable to both sides. In the emergence of tripartite negotiation, one group must involve the representatives from the government, the Hluttaws and the Tatmadaw, the other group must represent the ethnic armed groups and the third group is from the political parties.⁹⁷ From the side of eight signatories group, they formed the Peace Process Steering Team (PPST) and continued the negotiations with the new government on the policy of all inclusive and the Union Peace Conference/21st Century Panglong Conference.

Although there are 91 political parties, only 22 have seated in the Hluttaws.⁹⁸ At the peace conference, at least one representative of every political party based on the representation in Hluttaws was allowed to participate and the rest, to involve through civil society organizations (CSO) forum. This was happened not to be substantial inflation and to effectively implement the peace process. The role of CSOs in the peace process is to involve directly and to serve as their own forum including political parties. The representatives are to be selected by the respective group themselves and provided the necessary assistance by the NRPC.

3. Mai Ja Yanng Ethnic Armed Organization Conference

⁹⁷ BURMA LINK, UNFC continues Tripartite Talks Policy to secure NCA (2016) - <http://www.burmalink.org/unfc-continues-tripartite-talks-policy-secure-nca/>

⁹⁸ Union Election Commission of Myanmar Official Website

The ethnic armed groups plenary meeting commenced in Mai Ja Yanng, Kachin State from 26th to 30th July, 2016. It was attended from 17 ethnic armed groups but not the other four ethnic armed groups, UWSA, MNDAA, TNLA and NSCN-K. The conference was to search for common ground to prepare the Union Peace Conference/21st Century Panglong and to work toward the future federal democratic union in the country. At the conference, they discussed four topics to achieve the two common goals mentioned above. The topics were on the discussion and approval of the Panglong manual, adoption of basic principles for the constitution of a federal democratic State, basic principles for security and defence and amending the framework for the political dialogue. As the outsiders, Vijay Nambia, the UN Secretary-General's Special Advisor on Myanmar and Sun Guoxiang from the Chinese Ministry of Foreign Affairs jointed to the conference and their involvement were to support the peace process of Myanmar.

4. The Role of the Tatmadaw

According to the 2008 Constitution of the Republic of the Union of Myanmar, the Tatmadaw enables to participate in the National political leadership role of the State.⁹⁹ The Tatmadaw is responsible for safeguarding the non-disintegration of the Union, the non-disintegration of National solidarity and the perpetuation of sovereignty and to safeguard the Constitution. Twenty-five per cent of the Defence Services personnel in the Hluttaws are stipulated by the Constitution. To leave the political role

⁹⁹ Article 6 (f), 2008 Constitution of the Republic of the Union of Myanmar

of the Tatmadaw depends on the internal peace.¹⁰⁰ The internal armed conflicts are related to the presence of the Tatmadaw in the politics.

5. The Challenges for the Government

The seven UNFC members couldn't sign the NCA because they didn't agree the framework for political dialogue which was drawn by the UPDJC and it was lack of all-inclusiveness in the process. In the term of former President U Thein Sein, the Tatmadaw did not allow three northern alliances - AA, MNDAA, TNLA - to take part as separate groups in the peace process. At that time, the government excluded these three groups. MNDAA started the bloody conflict on the Myanmar-China border and it was supported by its two alliances AA and TNLA. AA was the group from the Rakhine State but based in the area controlled by the KIO, and TNLA was required to sign a bilateral deal¹⁰¹. But within the NLD government's peace process led by the State Counsellor Daw Aung San Suu Kyi, the policy was flexible for these three groups with preconditions. The first point was to announce the disarmament for peace and the second one, to restore their weapons to other third organizations but no need to the Tatmadaw.¹⁰² There was no agreement on the choice of the term for the announcement. The three groups issued a statement saying they wish to see an end to

¹⁰⁰ Hmuu Zaw, *Pyidaungsu Ahtwat Hmyaw Lint Chat* (The Expectation for the Union/21st Century Panglon Conference) – Renaissance Myanmar, Issue I (2016) p-8

¹⁰¹ Aung Naing Oo, Myanmar's ethnic armed groups serve complex alphabet soup – Nikkei Asian Review (2015)

¹⁰² Hmuu Zaw, *Pyidaungsu Atwat Hmyaw Lint Chat* (The Expectation for the Union/21st Century Panglon Conference) – Renaissance Myanmar, Issue I (2016) p-8

armed conflict and also did not commit to disarm. The other one is UWSA, which attended to the 21st Century Panglong Conference but walked out with confusion what they said their status as observers in the conference. The UWSA is the most powerful ethnic armed group supplied by the Chinese arms dealers. It controls the largest border area with China and based in the “Wa” Self-Administered Division in the Shan State. The invisible pressures and the geopolitics situation are also the other challenges for the government.

6. Union Peace Conference/21st Century Panglong Conference

The Union Peace Conference/21st Century Panglong was convened in Nay Pyi Taw from 31st August to 3rd September, 2016. The four-day conference was discussed by the representatives from the seven groups of the government, the Hluttaws, the Tatmadaw, the political parties, the ethnic armed groups, the ethnic minorities and the group of intellectuals and intelligentsia.¹⁰³ The event had 72 speakers from the seven groups mentioned above on the five topics. The discussion topics were the same like the first Union Peace Conference convened during the term of the former President U Thein Sein, which were security issues, politics issues, economic issues, social issues and land and natural resources management issues.

The State Counsellor’s opening mark was that the political negotiations would be based on Panglong spirit and the principle of finding solutions through the

¹⁰³ *Myanma Alin Daily* (The New Light of Myanmar), Volume 55, No. 332, 1st September, 2016
Published by the Ministry of Information

guarantee of the equal rights, mutual respect and mutual confidence between all ethnic nationalities¹⁰⁴. The policy of the government that emerged after 2015 elections is to meet national reconciliation. The NCA is not only for the first step towards peace but towards the establishment of the long-held hope for a democratic federal Union. As the political dialogue would be based on the NCA, the new government is striving to bring all the ethnic armed groups under the umbrella of the NCA. She also stressed that without national reconciliation and national unity, it could not establish a sustainable and durable peaceful Union and also pointed out the importance of the support of the people.

The Pyithu Hluttaw Speaker's remark is that peace relates with the success of democracy, human rights, rule of law, national reconciliation, federalism and national development. Without internal peace, education, health and social affairs cannot be maintained and balanced for the development.¹⁰⁵ To overcome the conflicts, the need is to cooperate among the different ethnic groups. The Amyotha Hluttaw Speaker urged the participants to display a strong determination for peace and to act with sympathy toward the plight of the victims as their siblings and own relatives.¹⁰⁶ He also stressed that peace is an essential step towards the establishment of a federal republic.

The Commander-in-Chief of Defence Services extended that although there are different visions and views, the actions are firm and based on the will to restore

¹⁰⁴ The Global New Light of Myanmar, Volume III, No. 139, 2nd September, 2016

¹⁰⁵ Ibid

¹⁰⁶ Ibid

peace¹⁰⁷. He highlighted that the Tatmadaw is cooperating with all groups for national reconciliation and peace making process based on Our Three Main National causes and three policies of which peace and stability, national unity and development of the people which are the necessities of the country. The Tatmadaw's six principles for peace, the outline adopted during the former President U Thein Sein's five year term, are based on the experiences throughout the history. Mutual cooperation and six-point principles would help for genuine and lasting peace for the country. He encouraged the participants to review the matters based on the history, experience, national characteristics, changing geo-political conditions and changing regional and internal affairs. He added that all groups should pursue their aims through democratic channels, the Hluttaws.

KNU Chairman addressed at the conference on behalf of the ethnic armed groups. He stated that the 1947 Panglong Conference led the nation to the independence and in the same way the 21st century Panglong Conference could build a democratic federal Union. He highlighted the importance of three matters on peace, national reconciliation and 2008 Constitutional amendments for the development of the country. UNFC Chairman's greeting remark at the conference was that this is the time to strive to shape the future of the country. He added that the demand from the ethnic armed groups is not a request to secede from the Union but to build the federal Union with democracy, equality and self-determination for the ethnic nationalities.

¹⁰⁷ Ibid

UN Secretary General Ban Ki-moon attended to the Conference and remarked that the conference was a historic transition in Myanmar. He also stated that the former President U Thein Sein opened the doors to peace reforms and brought the different ethnic groups to make a joint commitment for the federal democratic union based on equality and self-determination. The NCA was crucially important and the new government could afford to bring more inclusiveness.¹⁰⁸ The 21st century Panglong Conference represented the results of the efforts.

(a) Implementation for the Conference

At the Conference, the members of the UPDJC, the JMC and the Preparatory Committee for Union Peace Conference submitted their official reports as to the implementations on the process, the reports on the framework for political dialogue and national level political dialogue which would hold the meetings after the Conference.

The representative of the UPDJC read out the implementation tasks and decisions by the meetings. There are 19 points decisions from the meetings. The first important decision is to start the peace negotiations and political dialogue with all inclusion. The committee agreed to hold a national-level political dialogue right after the 21st century Panglong Conference. The JMC's report is that the committee's achievement is to lessen the tensions among NCA signatories. To be able to support

¹⁰⁸ Ibid

the political dialogue, it needs to take continuous measures to enhance stability, to reduce aggression and to build trust among the armed groups. As the new government's policy is based on all inclusion, the committee reviewed the political dialogue framework with non NCA signatories and invited them to the conference. The reviewed discussions to the framework will be continued after the conference. The national-level political dialogue will be conducted under the guidance of the UPDJC. There will be sub-committees for each discussion topic and these committees will be based on the regions and ethnic groups. The participants would be the representatives from the government, the Hluttaws, the Tatmadaw, the ethnic armed organizations, the political parties and civil society organizations.¹⁰⁹

(b) The Opinions from the Government's speakers

There are five speakers from the government group and they delivered their opinions to the conference. Union Minister U Kyaw Tint Swe expressed how Myanmar's defence and security policy should be shaped in the post policy changes period and national security policy needs to base on democracy with the rule of law as a pillar.¹¹⁰ The civilian-military cooperation is to enhance to be able to strengthen security mechanism and disarmament, abolition of armed groups and reunifications are prerequisites to a peace process. The armed conflicts are the hindrances to the socio-

¹⁰⁹ *Myanma Alin Daily* (The New Light of Myanmar), Volume 55, No. 332, 1st September, 2016
Published by the Ministry of Information

¹¹⁰ *Myanma Alin Daily* (The New Light of Myanmar), Volume 55, No. 333, 2nd September, 2016

economic development. He also highlighted the need of long enduring peace building and resource sharing and profit sharing in an equitable manner. Dr. Tin Myo Win, Chairman of the Peace Commission, discussed that building a federal system should be suited with the country's diversity in social, religious, languages, culture, economic, historical background.

The other participants from the government group stressed the need for the peace dialogue at the negotiation table to solve the root causes of political problems for the welfare and development of the people. The improvement of social welfare leads to the sustainable peace and they had been working in harmony in the peace process to prevent further losses and sufferings of the citizens and the country. The government needs to show up to the public and consider the public role in natural resources management before the implementation of the projects in the states and regions.

(c) The Opinions from the Hluttaw Representatives

The representatives from the Hluttaw group pointed out about the federal systems. Although there are many federal systems in the world, it cannot be copied and practiced due to the difference in historical background and imbalance in natural resources. One representative discussed that the federal system would end over 60 decades armed conflicts within the country and would have guarantee for justice and equality. It needs to think about the need of helps and the importance of rehabilitation and resettlement for the victims from the conflict areas regarding the post ceasefire

plans. Some called for wisdom and courage in deciding what should be changed and what should not be changed in the interest of the entire population of the Union.

(d) The Opinions from the Tatmadaw Representatives

The Tatmadaw representatives group elaborated the 2008 constitution concerned about the federal system. One representative expressed that the 2008 Constitution reflects federalism and it composes of two Hluttaws and in the Amyotha Hluttaw, it allows equal representatives from the states and regions. The executive and judicial systems of federal regulations have existed in the current 2008 Constitution. One stated that by exercising the constitutional rights fully, the path to the Hluttaw representative and participation would perform the regional development. About the tax collection, state and region governments should employ the skilled workers for human resources and should extend the fields for tax collection instead of raising the tax rates not to burden on the people who live in rural areas. It should have a systematic tax collection to allocate the budget for equality and sustainable development.

Colonel Min Oo from Tatmadaw pointed out to give the power to the government to be able to have control over the people and other organizations. He expressed that the Tatmadaw was born by the people comprised all indigenous races and every nation in the world has only one army. One representative called for to implement the DDR/SSR process and to complete the political dialogue and peace

conferences within 3-5 years. The other one discussed the resettlement and rehabilitation of the IDPs and the assistance from the NGOs and INGOs should be provided with the permission of the government to avoid the interference the religious, social and political matters. The ethnic armed organizations are demanding political assurances and preconditions overly and the recognition of unlawfully management, administration, economic opportunities which would delay the peace process. The ethnic armed groups and the political parties need to follow the right path of the democracy and the political path paved by the Union Peace Conference.

(e) The Opinions from the Ethnic Armed Groups' Speakers

The representatives from the ethnic armed groups mainly presented to build a federal democratic Union to be able to guarantee for equality and self-determination. One representative from KNU stated that in the future federal Union, all states and regions should be empowered to write their own constitutions and the sovereign power of the Union should be descended from the entire indigenous people to be ensured to have equal status in races and politics so that they could protect their own languages, cultures and traditions. He also stressed that it should have self-determination in political, economic, social and cultural sectors.

One highlighted that it needs to have the guarantee to empower legislative power, judicial power and executive power to the states and to have the right for tax collection and management in natural resources in a state. He also stated that there

must have the right to implement in the field of education and health. The states in the federal Union must have the rights in dealing with taxation. It needs to protect the right of the people and to prevent power abuse in the states for a federal democracy. One stressed the need of resettlement and rehabilitation work for internally displaced persons (IDPs) and refugees and to provide support physically and mentally.

The representative from NDAA demanded for a Self-Administrative Zone under the direct rule of the Union government and to provide budget allocations from the government. One called for the formation of a Burma state to guarantee equality in the Union.

Saw Kyaw Nyunt from KNU/KNLA-PC described the direct control of the government to the management of the land and natural resources as a challenge in building a democratic federal Union and the need of the involvement of the ethnic groups in decision making. One from RCSS stated that they would continue efforts for federal union in collaboration with partner organizations and people and to solve political problems with political means.

(f) The Opinions from the Political Parties

The group of political parties presented their opinions differently at the conference. The majority of the ethnic political parties stressed the establishment of the federal democratic Union. U Myint Soe from the Union Solidarity and Development

Party (USDP)¹¹¹ stated that federal system should be based on the geographical situations. In establishing a Union based on the federal system, it needs to avoid racism, idealism, narrow minded patriotism and chauvinism and he also pointed out the Confederation system could lead to the disintegration of the Union.¹¹² It needs to avoid the ideology of the formation of Amyotha State and Amyotha Myar State.

About the formation of the forces, Dr. Aye Maung from ANP discussed that the formation of state forces must be under the management of the respective states and the formation of federal Tatmadaw must be based on the state forces.¹¹³ He extended the state governments should have full power to manage exploitation of natural resources and to collect taxes except for some taxed related to the federal Union government.

Other representatives stated that the root causes of the ethnic armed conflicts in Myanmar is the lack of implementing to the 1947 Panglong agreements and the conflicts were solved without political means. Building a democratic federal system could be achieved through political dialogue. The ethnic groups are taking up armed struggle for their fundamental rights and the government failed to solve the problems through the political means. One emphasized the four policies on equal rights, democracy, socio-economic development and self-determination in establishing a

¹¹¹ USDP was the ruling party before the NLD party

¹¹² *Myanma Alin Daily* (The New Light of Myanmar), Volume 55, No. 333, 2nd September, 2016

¹¹³ Ibid

federal Union. Economic development is important in seeking peace and resource sharing for the development would support the country's peace process.

The representative from Kachin State Democracy party stated that for the security of the Kachin State, it needs to form the security force which would be under the control of the federal Tatmadaw. But the Lisu ethnic minority asked for a self-administered zone in Kachin State "Were the country to form new states," based on geographical locations. Wa Democratic Party called for the recognition of the Wa state and demanded to recognize Wa self-administered regions composed of six townships as a Wa State.

The representative the Lahu National Development Party called for a quick end to the armed conflicts, to amend the 2008 Constitutions or to draw a new constitution for a federal Union. He added to enact the necessary laws and regulations to protect the rights of the ethnic minority. Pa-O National Organization called for the establishment of a geographically-based federalism. The other person stated to have win-win policy and genuine goodwill and collective cooperation at the 21st century Panglong. Unity and Democracy of Kachin State called for the inclusion of more women in the decision making level in the future peace processes.

All Mon Region Democracy Party stated that it is not practical to build a systematic model of a federal Union and as there will be taking place the national-level political dialogue, it needs to promote and seek the opinions. It needs to decide

whether the existing 2008 constitution would be amended or a new constitution would be drawn to have a genuine federal Union. One representative, the non-NCA signatories should emphasize on the political culture of round-table talks rather than fighting and it needs to accept that the presentations beyond the worthwhile and the differences from the 2008 Constitution would far from peace. Kokang Democracy and Unity Party expressed the remaining three armed groups to be able to participate in the future conference according to all inclusive policy.

(g) The Opinions from the Ethnic Minorities Group

The speakers from ethnic minorities groups read out their attitudes at the conference. Red Shan called for the formation of the Red Shan State where Red Shan nationalities are living. Some suggested developing the ethnic minorities' culture, traditions, languages in the states and regions where they live. They stated the need to invite the leaders who really represent the ethnic people rather than the political leaders said. Shaping the future of the country needs to have patience and understanding among the stakeholders. One group mentioned the division of power between the states and the Union should be specific.

(h) The Opinions from the Participants

U Ko Ko Hlaing, the speaker from the participants group, discussed five points at the conference; to sign the NCA by the ethnic armed groups, to establish a federal Union based on the existing institutions, laws and rules taking into account the real

situations nowadays, to find ways in equitable manner for resource sharing among the Union government, the states and the other places where resources are scarce, to have only one force for the country's defence and security.¹¹⁴ The last one what he pointed out is that the racialism and religious faiths have occurred the armed conflicts in the world. As the outside interferences have torn the nations having armed conflicts, it needs to achieve peace as soon as possible. Another speaker stated to draw up a charter for the Union based on freedom, justice, equality and self-determination. Currently, the group will value the discussions from the government, the Tatmadaw and the ethnic armed groups rather than to present a policy.

Myanmar comprises different diversities in history and made the development in harmony in the regions and states. It is essential to support by the central government to some states due to the geographical situation but in some states, it is rich in natural resources. These states don't need to depend upon the central government. It needs to choose a federal system on symmetrically or unsymmetrically. The security forces in the federal Union must be under the elected government.

7. Prospect of the Conference

The 21st Century Panglong is very important for national reconciliation and unity and a great opportunity for the ethnic armed groups and they should not miss the opportunity. To achieve those things and to move forward for the country, it needs to

¹¹⁴ *Myanma Alin Daily* (The New Light of Myanmar), Volume 55, No. 334, 3rd September, 2016

involve by all ethnic armed groups in the political process. The ethnic armed organizations control the border areas where they are strategically important and rich in natural resources. Although there were in progress in former President U Thein Sein's term, it was far from unity, peace and stability. The 21st Century Panglong is the gate for the peace process. The challenges for the State Counsellor, Daw Aung Suu Kyi, are to be all inclusive, to build trust and to make a better relation between the Tatmadaw and the ethnic armed groups. Whether the peace process will achieve or not, it may depend on the three groups: AA, TNLA, and MNDAA.¹¹⁵ But the questions, like how long it is going to take and what the outcome would be, will remain unanswered for the time being.

To get the peace, it needs to create the political situation that the ethnic people would demand the rights through the panel of the elections, and on the other side, the ethnic armed groups need to give up their weapons to have the rights to go to the parliament.¹¹⁶ The conference will represent a step towards a peaceful and prosperous future of the country. If it achieves peace, the country will develop with foreign investments.¹¹⁷ The conference is a very important and positive step forward and there are still remaining much work to perform and many challenges to overcome. The meeting will be a milestone in Myanmar's effort to achieve a durable peace, national

¹¹⁵ Larry Jagan, 21st Century Panglong, Renaissance Myanmar, Issue 1 (2016) p-33

¹¹⁶ U Ye Htut, former Union Minister, BURMA.IRRAWADDY.COM

¹¹⁷ Andrew Patrick, British Ambassador, *Myanma Alin Daily* (the New Light of Myanmar), Volume 55, No. 332, 1st September, 2016

reconciliation and a democratic federal Union.¹¹⁸ The representative from the World Bank said that it is the step to eternal peace and very important for the country's development and the government will build the eternal peace with the ethnic armed groups.¹¹⁹ Chinese envoy stated that through the views of the different various groups, there will be a common answer that would support to the peace process.¹²⁰ The conference is very important because to solve the conflicts and to achieve peace, it needs to know the intentions of all related people in order to continue negotiations based on similarities and differences.¹²¹ The conference will be able to establish a federal Union based on the freedom and equality.¹²²

At the ceremony of the one year anniversary of the NCA, the State Counsellor stressed that the NCA was the first and most important step in the process and it had made progress. She said, "Should we want peace and ceasefire, we had better start with extinguishing of anger and prejudice which are likened to fire burning inside our heart and soul." She encouraged the government, the Tatmadaw and the ethnic armed groups to compete who was more open minded, who was more tolerant and who placed more value on the future rather than the past. Commander-in-Chief of Defence Services

¹¹⁸ Scot Marciel, US Ambassador, Myanmar Time (2016), <http://www.mmtimes.com/index.php/national-news/22222-what-are-your-expectations-for-this-second-panglong-conference.html>

¹¹⁹ *Myanma Alin Daily* (the New Light of Myanmar), Volume 55, No. 332, 1st September, 2016

¹²⁰ Ibid

¹²¹ U Aung Kyi, Head of government peace advisory thank tank, Myanmar Time (2016), <http://www.mmtimes.com/index.php/national-news/22222-what-are-your-expectations-for-this-second-panglong-conference.html>

¹²² Sai Nyunt Lwin, General Secretary of the SNLD, Myanmar Time (2016), <http://www.mmtimes.com/index.php/national-news/22222-what-are-your-expectations-for-this-second-panglong-conference.html>

stressed that the six-point peace policy of the Tatmadaw and the NCA was the path to peace and to a genuine democratic Union based on the federal system. He pointed out the NCA is not the standpoint of the government only or the Tatmadaw or the ethnic armed groups. It reflects the outcomes of the negotiations from these tripartite groups. He argued that it should not head towards the political dialogue meetings directly beyond the NCA without signing it. On 16th October 2016, the government also released the following seven steps roadmap for national reconciliation and union peace that would move forward.¹²³

- a) To review the political dialogue framework
- b) To amend the political dialogue framework
- c) To convene the Union Peace Conference/the 21st Century Panglong in accordance with the amended and approved political dialogue framework
- d) To sign union agreement/the 21st Century Panglong Agreement based on the results of the 21st Century Panglong Conference
- e) To amend the constitution in accordance with the union agreement and approve the amendment constitution
- f) To hold the multi-party democracy general elections in accordance with the amended and approved constitution
- g) To build a democratic federal union in accordance with the result of the multi-party democracy general elections

¹²³ The Global New Light of Myanmar, Volume III, No. 183, 16th October, 2016

The Chairman of KNU, on behalf of the signatories, expressed that the NCA as an important pillar for international support for the country.¹²⁴ But he also pointed out to remember the weaknesses in implementing the NCA because there were weaknesses to create dialogue spaces for region and state levels although there were dialogues at the Union level to some extent. In order to pave way for non-signatories to sign the NCA, he called for the government and the Tatmadaw to ease the policies and suspend the use of force.

The representative from KNU, one of the signatory groups, expressed that it is not easy for all inclusive in the NCA as the ethnic armed groups have different visions and positions. But the agreements in the NCA would be implemented. The NCA reduced fighting to some extent. The representative from the SNLD Party also stated that there was not much achievement but had been in progress in the process to some extent. He pointed out the suspension of the fighting. It is the precursor to build trust between two sides. If the fighting is still active on ground, it is not easy to negotiate to involve the NCA. U Hla Maung Shwe, member of UPDJC, said that there was no fighting between the Tatmadaw and the seven signatory groups except one group. According to the records of JMC, there were only five times but small clashes.¹²⁵

The 21st Century Panglong Conference had some achievements because the government, the Tatmadaw, the political parties, the ethnic armed groups, the ethnic

¹²⁴ *Myanma Alin Daily* (The New Light of Myanmar), Volume 56, No. 016, 16th October 2016

¹²⁵ *Ibid*

minorities and the participants mentioned their feelings without preconditions within ten minutes for each speaker. The first round of the 21st Century Panglong Conference was a collection of facts and figures. Although tensions and difficulties are still exit, the tripartite parties of the government, the Tatmadaw and the ethnic armed groups, demonstrated their eagerness for the peace and the political dialogue process.

V. Conclusion

The peace process which was accompanied by democratic transition in Myanmar in 2011 carried on the best opportunity to address issues that have structured armed conflicts which were born with the independence since 1948. The peace process emerged as a government-led initiative, under the leadership of the former President U Thein Sein and his chief negotiator U Aung Min who was the Union Minister of the President Office (4). The then government founded three mechanisms; UPCC, UPWC and MPC for peace negotiation and implementation. On the side of the ethnic armed groups, they made NCCT and SD for the negotiation with the government. In October, 2015, the government and eight ethnic armed groups signed the NCA which was the first and largest inclusive in history and laid down the foundation for the peace negotiation process. Currently, the NLD-led government opened up the opportunity for all inclusive in the Union Peace Conference/21st Century Panglong Conference. But the conference was lack of all-inclusiveness because the government and the three ethnic armed groups didn't agree on the choice of the term for announcement and the UWSA, the most powerful ethnic armed group, walked out of the conference with confusion what they said their status as observers in the conference.

Although the peace negotiation process in Myanmar had started since democratic transition, it hasn't stepped into political dialogue, the essence of peace negotiation, yet. During the term of the previous government, the first Union Peace Conference was convened but there was no decision making. The new government

adopted the four priority policies to implement for the country. These policies are national reconciliation, internal peace, the emergence of constitution that will lead to effectuation of a democratic, federal union and raising the quality of life the majority of the people.

The previous government opened the door to peace reforms and signed the NCA with eight ethnic armed groups. The NCA is the foundation for peace negotiation. It is not for final result. Through the NCA, the government and the ethnic armed groups will follow the political dialogue, getting and approving the agreements from the dialogues and the implementation processes for shaping eternal peace for future new Myanmar, step by step. To achieve the on-going peace process, it is necessary to bring all the ethnic armed groups under the umbrella of NCA. The new government's current peace negotiation led by the State Counsellor, Daw Aung San Suu Kyi, is still ongoing process to bring all the remaining non-signatories to the NCA so that they could start the political dialogue with all inclusive.

Even though the NCA is the foundation to work on for the peace negotiation, the government will have to overcome the challenges to bring all the remaining ethnic armed groups to the NCA. In 21 ethnic armed groups, they could be divided into three groups in general. The first one is the eight NCA signatories, and they have opened up the door for political dialogue with the government.

The second one is seven non-signatories of UNFC and they are still negotiating for their eight point proposal with the government to sign the NCA. These seven ethnic armed groups of UNFC will sign the NCA if the government agrees their preconditions for the negotiation. Their demands to the government are to declare nationwide ceasefire by the government/Tatmadaw, to have full guarantee for the rights of national equality and self-determination, to form a Joint Ceasefire Monitoring Committee with the representatives from the two sides and persons respected and trusted by the public, together with an international monitoring team composed of government representatives, acceptable to the two sides, to have an independent Mediation Commission, composed of local and international legal experts and judges, acceptable to the two sides and to have consultation for the project implementations with the locals and the ethnic armed groups in the ceasefire areas.

The third group like UWSA, TNLA, NDAA, MNDAA, AA and NSCN-K, have different standpoints and dimensions to the negotiations. The groups like UWSA and NDAA in the border line with China, demand for the control area and even in the 21st Century Panglong Conference, their representatives called for the recognition as a State and Self-Administered Zone.

As the ethnic armed groups could be able to involve in the political dialogue only after signing the NCA, it still remains a necessity for all inclusive in the NCA and political dialogue. The Union Peace Conference/21st Century Panglong Conference will be held once in every six month. Every time once after holding the Union Peace

Conference, there will be political dialogue and the agreements will be approved by the Union Peace Conference.

The key aspirations for all the ethnic armed groups are self-determination and equality. Finally there are two common points among all the stakeholders, regardless of many different views and ideas. The first point is the desire for the peace and the second one is to build a Union based on the democratic federal system.

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List of Myanmar's Key Ethnic Armed Groups

- | | | |
|--------------|---|---|
| 1. AA | - | Arakan Army |
| 2. ABSDF | - | All Burma Students' Democratic Front |
| 3. ALP | - | Arakan Liberation Party |
| 4. ANC | - | Arakan National Congress |
| 5. CNF | - | Chin National Front |
| 6. DKBA | - | Democratic Karen Benevolent Army |
| 7. KIO/KIA | - | Kachin Independence Organization/
Kachin Independence Army |
| 8. KNLA-PC | - | Karen National Liberation Army-Peace Council |
| 9. KNPP | - | Karenni National Progressive Party |
| 10. KNU | - | Karen National Union |
| 11. LDU | - | Lahu Democratic Union |
| 12. NDAA | - | National Democratic Alliance Army |
| 13. MNDAA | - | Myanmar National Democratic Alliance Army |
| 14. NMSP | - | New Mon State Party |
| 15. NSCN-K | - | National Socialist Council of Nagaland-Khaplang |
| 16. PNLO | - | Pa-Oh National Liberation Organization |
| 17. RCSS-SSA | - | Restoration Council of Shan State/
Shan State Army-South |
| 18. SSPP-SSA | - | Shan State Progressive Party/Shan State Army-North |

- 19. TNLA - Ta'ang National Liberation Army
- 20. UWSA - United Wa State Army
- 21. WNO - Wa National Organization

Members of United Nationalities Federal Council (UNFC)

- | | | |
|--------------|---|---|
| 1. KIO | - | Kachin Independence Organization |
| 2. KNU | - | Karen National Union |
| 3. KNPP | - | Karenni National Progressive Party |
| 4. CNF | - | Chin National Front |
| 5. NMSP | - | New Mon State Party |
| 6. SSPP | - | Shan State Progressive Party |
| 7. PNLO | - | Pa-Oh National Liberation Organization |
| 8. PSLF/TNLA | - | Palaung State Liberation Front /
Ta'ang National Liberation Army |
| 9. ANC | - | Arakan National Congress |
| 10. LDU | - | Lahu Democratic Union |
| 11. WNO | - | Wa National Organization |
| 12. MNDAA | - | Myanmar National Democratic Alliance Army |

List of 12 Ethnic Armed Groups that signed Bilateral Agreement

- | | | |
|----------------|---|---|
| 1. ABSDF | - | All Burma Students' Democratic Front |
| 2. ALP | - | Arakan Liberation Party |
| 3. CNF | - | Chin National Front |
| 4. DABA | - | Democratic Karen Benevolent Army |
| 5. KNU | - | Karen National Union |
| 6. KNLA-PC | - | Karen National Liberation Army-Peace Council |
| 7. KNPP | - | Karenni National Progressive Party |
| 8. NMSP | - | New Mon State Party |
| 9. NSCN-K | - | National Socialist Council of Nagaland-Khaplang |
| 10. PNLO | - | Pa-O National Liberation Organization |
| 11. RCSS/SSA-S | - | Restoration Council of Shan State/
Shan State Army-South |
| 12. SSPP/SSA-N | - | Shan State Progressive Party/Shan State Army-North |
| 13. UWSA | - | United Wa State Army |
| 14. NDAA | - | National Democratic Alliance Army |

List of 8 Ethnic Armed Groups that signed the NCA

- | | | |
|---------------|---|---|
| 1. KNU | - | Karen National Union |
| 2. DKBA | - | Democratic Karen Benevolent Army |
| 3. KNLA-PA | - | Karen National Liberation Army-Peace Council |
| 4. CNF | - | Chin National Front |
| 5. PNLO | - | Pa-O National Liberation Organization |
| 6. ABSDF | - | All Burma Students' Democratic Front |
| 7. ALP | - | Arakan Liberation Party |
| 8. RCSS/SSA-S | - | Restoration Council of Shan State/Shan State Army-South |

요약(국문초록)

미얀마는 민주 중의의 길에 밟아 가고 있는 과도기이다. 길어지게 된 소민족 무장 집단과 정부의 갈등은 현재 정부가 해결하고 있지만 영원한 평화에 도달하지 못했다. 평화 없이는 민주주의 사회가 이루어지기 불가능하다. 국가 경제의 상승이 정치의 안정성과 국내 무장집단과의 갈등에 직접적인 관련이 있다. 2011 년에 군정부는 나라의 통치권을 민간인 정부로 이양하였다./넘겨 주었다. 미얀마의 민주주의 과도기에 정부와 소수민족 무장집단 간의 평화 협상의 기회가 생겼다. 그리고 전 대통령 우 떼잉 세잉은 협상 진행을 위하여 주춧돌을 놓았다. 정치 상황으로 인하여 나라의 통치권은 총선에 당선된 NLD (민족 민주 동맹당)에 넘겨 주고 국가 최고급인 아웅산수찌 여사가 이어서 협상 진행을 위한 책임을 맡았다. 정부의 정치 상황과 발행에 평가로서는 미래의 평화 협상과 진행은 중요한 문제와 장애가 포함되어 있다는 결화가 나왔다.

주요어 : 평화 진행, 협상, 소민족 무장 집단의 갈등, 평등, 결정권, 전국 휴전 협정(NCA)

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